Comparison of Current TCR Requirements with the AIP and Alternative Analysis
05/06/09

AIP Element	Current Rule	AIP Recommendations	Alternative Analysis
Rule construct *AIP Section 3.1*	• TC MCLG of zero • TC monthly MCL based on the number of TC+ samples in a month • Fecal coliform/E. coli acute MCL based on FC/EC + samples • Public Notification (PN) required for MCL violations	• TC triggers assessment and corrective action (A/CA). [No MCL/MCLG for TC] • E. coli remains, with an MCLG of zero and an acute MCL (as described below) • Fecal coliform is no longer used • PN not required for only TC occurrence. PN is associated with a Treatment Technique violation (assessment or corrective action do not occur)	• Same as AIP
Transition to the New Rule *AIP Section 3.3* *and* *3.4.a.2 –NCWS* *and* *3.4.c.2 –CWS*	N/A	• Systems continue on their current TCR monitoring schedule provided they meet the criteria • NCWS on reduced monitoring must have an annual site visit/assessment to remain on annual monitoring • CWS on reduced monitoring remains on that schedule unless/until they have an event that triggers increased monitoring. • Monitoring schedules will be evaluated during each sanitary survey to determine if the monitoring frequency is appropriate.	• No transition. Systems start new requirements as soon as the rule is effective
Routine Monitoring (Baseline) *AIP Section 3.4.a.1- NCWS* *and* *3.4.c.1- CWS*	• 1 sample per quarter for NCWS ≤1,000 (GW) • 1 sample per month for NCWS ≤1,000 (SW) and all CWS ≤1,000 • For all PWS >1,000, sampling is monthly based on population • Provisions for reduced monitoring for all GW PWS ≤1,000	• Same as current TCR, with more explicit criteria to qualify for reduced monitoring (see below)	• A minimum baseline of monthly monitoring for all systems

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Reduced Monitoring *AIP Sections 3.4.a.3-NCWS* *and* *3.4.c.3-CWS*	• NCWS ≤1,000 (GW) can reduce to 1 sample per year if system is free of sanitary defects • CWS ≤1,000 (GW) can reduce to 1 sample per quarter if no history of TC contamination, no sanitary defects, and protected GW source • No other systems are eligible for reduced monitoring	• NCWS ≤ 1,000 (GW) - same as in current TCR, but more criteria to qualify and remain on reduced. • CWS ≤ 1,000 (GW) - same as in current TCR, but more criteria to qualify and remain on reduced • Criteria include: an annual site visit (NCWS only); a clean compliance history; free of sanitary defects; have a protected source and meet construction standards; and certified operator (CWS only). • Other criteria (one or more required for CWS; all (except annual site visit) are encouraged for NCWS): cross connection control; certified operator; meet disinfection criteria; other equivalent measures.) • No other systems are eligible for reduced monitoring	• Quarterly for all systems
Increased Monitoring (NCWS) **and** **Return to Baseline Monitoring (CWS)** *AIP Sections 3.4.a.4-NCWS* *and* *3.4.c.4-CWS*	• N/A (none specified) – NCWS • N/A (none specified) - CWS	• NCWS ≤ 1,000 (GW only) increases from quarterly or annual monitoring to monthly monitoring if one of the following occurs: o triggered Level 2 assessment or a 2nd Level 1 assessment in 12 months o E.coli MCL violation o TT violation o Two routine monitoring violations within 12 months if on quarterly monitoring or one routine monitoring violation if on annual. • CWS ≤ 1,000 (GW only) increase from quarterly monitoring back to monthly monitoring based on same criteria as above.	• Same as AIP

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Seasonal Systems *AIP Section 3.4.f*	• NA (none specified)	• PWS must demonstrate completion of an approved start up procedure • PWS sample site plan must designate the time period for monitoring based on high demand or vulnerability	• N/A – not considered
Repeat Monitoring *AIP Section 3.5*	• PWS serving ≤1,000 must take 4 repeat samples for every TC+ sample • For GW PWS, 1 sample can be a source water sample to comply with the GWR.	• Reduces repeat monitoring for PWS ≤ 1,000 from 4 samples to 3 • GW PWS must still take an additional source sample to comply with the GWR	• Same as AIP
Additional Routine Monitoring *AIP Section 3.6*	PWS taking < 5 routine samples per month (PWS serving ≤4,000) must take at least 5 routine samples after month after a TC+ sample.	• For PWS taking samples less than monthly, reduces the number of samples required after a TC (+) from 5 to 3 • For the other PWS taking < 5 routine samples per month, the additional routine sample requirement is eliminated (they take their usual number of samples the following month)	• Same as AIP
Sample Siting Plan *AIP Section 3.7*	• Sampling must occur at sites representative of water quality in the DS. • Sample siting plans, subject to review/ revision. • Special purpose samples shall not be used for determining compliance. • Repeat samples must be taken within 5 sites up- and down-stream.	Same as current except: • Specifically allows for dedicated sampling stations. • Provides more flexibility for systems in determining the locations for taking repeat samples. • States may allow entry point sampling at ground water systems if the overall plan remains representative of water quality in the DS.	• Same as AIP

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Assessment *AIP Section 3.8*	N/A – none required in the current TCR	• Level 1 (self-assessment) trigger based on current TC MCL level or if PWS fails to take every repeat sample after a TC+ • Level 2 detailed assessment by State or State-approved 3rd party or PWS, triggered by an E.coli MCL or monitoring violation or by frequent Level 1 triggers • Assessment results and description of corrective action taken will be submitted to the State within 30 days	• Same as AIP
Corrective Action *AIP Section 3.9*	N/A – none required in the current TCR	• System must correct all sanitary defects found in the assessment • If none found, state must be satisfied with the assessment • Sanitary defect: "a defect that could provide a pathway of entry for microbial contamination into the distribution system or that is indicative of a failure or imminent failure in a barrier that is already in place"	• Same as AIP
Violations and Public Notification (PN) *AIP Section 3.11*	• Violation of EC/FC MCL – acute violation, Tier 1 PN • Violation of monthly TC MCL – Tier 2 PN • M&R violation – Tier 3 PN • PWS must notify State re: single EC/FC (+) result.	Same as current except: • Failure to take repeat samples following an EC (+) is also an acute MCL violation • Monthly TC MCL violation is dropped – triggers A/CA instead • A TT violation occurs when a PWS fails to conduct required A/CA - Tier 2 PN • M&R violations will be tracked separately • PN Language - EPA will propose and request comment on PN language that reflects TC as an indicator and new TT provisions of the RTCR	• Same as AIP